



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,074	06/28/2001	Wayne F. Miller	STL920000094US1	6572
47069	7590	05/12/2005	EXAMINER	
KONRAD RAYNES & VICTOR, LLP			NGUYEN BA, HOANG VU A	
ATTN: IBM54			ART UNIT	PAPER NUMBER
315 SOUTH BEVERLY DRIVE, SUITE 210				
BEVERLY HILLS, CA 90212			2192	

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/894,074	MILLER ET AL.
	Examiner	Art Unit
	Hoang-Vu A. Nguyen-Ba	2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 August 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-14, 16-27 and 29-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1, 3-14, 16-27 and 29-39 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 June 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. This action is responsive to amendment filed August 30, 2004.
2. Per Applicants' request, claims 2, 15, and 28 have been canceled; claims 23, 24 and 27 have amended.
3. Claims 1, 3-14, 16-27 and 29-39 remain pending.

Response to Amendments

4. The objection to the Specification is withdrawn in view of Applicants' amendments to the Specification to provide the U.S. Application Serial No. of co-pending applications.
5. The objection to claims 23, 24 and 37 is withdrawn in view of Applicants' amendments to these claims to correct identified minor informalities.
6. The rejection of claims 2, 15 and 28 under 35 U.S.C. § 112, second paragraph as being indefinite because of use of trademarks is now moot in view of Applicants' cancellation of these claims.
7. The rejection of claim 27 under 35 U.S.C. § 112, second paragraph and under 35 U.S.C. § 101 as overlapping two different statutory classes of invention is withdrawn in view of Applicants' amendment to claim 27 to direct this claim to a statutory article of manufacture.

Response to Arguments

8. Applicant's arguments filed December 9, 2004 have been fully considered but they are not persuasive. Following is the Examiner's response to Applicants' arguments.

Claims 1, 14 and 27

Applicants' arguments:

“... The Examiner cites FIGs. 10, 11 and col. 4, lines 55-63 of Boden as disclosing the claim requirements of displaying a plurality of graphical user interfaces (GUI) panels through which a user is capable of defining nodes of a workflow and associating at least one action and user with each node wherein the defined associated user performs the associated action at the node when executing the workflow, and wherein multiple nodes define actions that process at least one object that is routed through multiple nodes of the workflow.

(Office Action, U.S. Patent Application Publication No. 5) Applicants traverse...

... Nowhere does the cited col. 4 anywhere disclose the claim requirement of a plurality of GUIs through which a user defines nodes of a workflow... and associates an action and user with each node...

... Nowhere does the cited Fig. 12 or corresponding discussion in col. 24 anywhere disclose generating form information entered into the GUI panels a workflow model including the nodes and workflow defined by the user through the GUI panels that process the at least one object...”

Examiner's response:

The Examiner notes that Fig. 10 provides a panel through which a user may select a workflow file to translate; Fig. 11 illustrates panel through which a user may select a process and then select a button to edit that process and if the user select selects to edit the process, then a script may be run to modify the process; Fig. 12 illustrates a layout of the process and the activities connectors and other components for the workflow. Considering these disclosed features, the claimed elements of claims 1 appear to be anticipated by Boden.

Claims 3, 16 and 29

Applicants' arguments:

“... Nowhere does the cited Boden anywhere disclose the claim requirement that the user can manipulate instances of the graphical representations of the nodes and paths in the workflow within the GUI panel to design a layout of the nodes of the workflow...”

Examiner's response:

The Examiner notes that the subject matter illustrated in Fig. 12 has to be considered in light of those illustrated in Figs. 11 and 10. According to the subject matters illustrated in these Figures, Boden does anticipate the claim requirement.

Claims 4, 17 and 30

Applicant's arguments:

“... Nowhere does the cited FIG. 12 and cited discussion at col. 24 in Boden anywhere disclose that when adding a graphical representation of a work node to the GUI panel, displaying a GUI panel including fields in which the user associates the at least one user and action with the work node...”

Examiner's response:

The Examiner notes that the subject matter illustrated in Fig. 12 has to be considered in light of those illustrated in Figs. 11 and 10. Fig. 11 illustrates panel through which a user may select a process and then select a button to edit that process and if the user selects to edit the process, then a script may be run to modify the process; Fig. 12 illustrates a layout of the process and the activities connectors and other components for the workflow. The Examiner's

interpretation of these claim requirements is that they do read on Boden teachings illustrated in Figs. 10, 11 and 12.

Claims 5, 18 and 21

Applicants' arguments:

“...Nowhere does the cited FIG. 12 and cited corresponding discussion at col. 24 in Boden anywhere disclose that when adding a graphical representation of a user exit node to the GUI panel, displaying a GUI panel including fields in which the user associates the at least one user and action to be performed in the background...”

Examiner's response:

The Examiner notes that the subject matter illustrated in Fig. 12 has to be considered in light of those illustrated in Figs. 11 and 10. Fig. 11 illustrates panel through which a user may select a process and then select a button to edit that process and if the user selects to edit the process, then a script may be run to modify the process; Fig. 12 illustrates a layout of the process and the activities connectors and other components for the workflow. The Examiner's interpretation of these claim requirements is that they do read on Boden teachings illustrated in Figs. 10, 11 and 12. Specifically, with the process editing feature, Boden does provide a user with the capability of adding an exit node.

Claims 8, 21 and 34

Applicants' arguments:

“... Nowhere does the cited col. 5 disclose the specific requirement that if multiple nodes lead to one node in the workflow, then the workflow server when executing one instance of the workflow only proceeds to the node to

which multiple nodes connect when the multiple nodes complete processing...”

Examiner's response:

In a workflow, there are multiple nodes representing multiple activities by various users, which require coordination. One way of maintaining coordination is to converge the output of the nodes representing these activities-users to a common node which subsequently leads the workflow to another process. Boden appears to anticipate the claim element by providing output for these multiple activities (e.g., multiple nodes) when the assigned activities are complete.

In view of the foregoing discussion, the Examiner considers that the rejection of claims 1, 3-14, 16-27 and 29-39 under 35 U.S.C. § 102(b) as being anticipated by Boden is proper and is thus maintained.

Claim Rejections – 35 U.S.C. § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1, 3-14, 16-27 and 29-39 are rejected under 35 U.S.C. § 102(b) as being anticipated by Boden et al. (“Boden”).

Claims 1, 14 and 27

Boden discloses at least:

displaying a plurality of graphical user interfaces (GUI) panels through which a user is capable of defining nodes of a workflow and associating at least one action and user with each node, wherein the defined associated user performs the associated action at the node when executing the workflow, and wherein multiple nodes define actions that process at least one object that is routed through multiple nodes of the workflow (see at least Figures 10, 11 and related discussion in the specification; 4:55-63);

generating from information entered into the GUI panels a workflow model including the nodes and workflow defined by the user through the GUI panels that process the at least one object (see at least Figure 12 and related discussion in the specification);

transforming the workflow model into a workflow definition language (WDL) file (see at least Figure 10 and related discussion in the specification); and

transferring the WDL file to a workflow server, wherein the workflow server interacts with a database to implement the workflow model defined in the WDL file in the database (see at least Figure 6, from block 170 to block 120; Figure 7, blocks 121, 111 and related discussion in the specification; 1:46-52).

Claims 3, 16 and 29

The rejection of base claims 1, 14 and 27 respectively is incorporated. Boden further discloses *wherein one displayed GUI panel illustrates a layout of the workflow including graphical representations of nodes and paths between the nodes to enable the user to manipulate instances of the graphical representations of the nodes and paths in the workflow within the GUI*

panel to design a layout of the nodes of the workflow (see at least Figure 12 and related discussion in the specification).

Claims 4, 17 and 30

The rejection of base claims 1, 14 and 27 respectively and intervening claims 3, 16 and 29 respectively is incorporated. Boden further discloses *wherein at least one graphical representation represents a work node, wherein for each graphical representation of the work node added to the GUI panel, further comprising displaying a GUI panel including fields in which the user associates the at least one user and action with the work node* (see at least Figure 12 and related discussion in the specification).

Claims 5, 18 and 31

The rejection of base claims 1, 14 and 27 respectively and intervening claims 3, 16 and 29 respectively is incorporated. Boden further discloses *wherein at least one graphical representation represents a user exit node, wherein for each graphical representation of the user exit node added to the GUI panel, further comprising:*

displaying a GUI panel including fields in which the user associates at least one action to be performed in the background, wherein the workflow proceeds to the next node while the associated at least one background action is performed (see at least Figure 12 and related discussion in the specification).

Claims 6, 19 and 32

The rejection of base claims 1, 14 and 27 respectively and intervening claims 3 and 5, 16 and 18 and 29 and 31, respectively is incorporated. Boden further discloses *wherein the background action comprises a call to an application to perform an action with respect to the object* (see at least Figure 12 and related discussion in the specification).

Claims 7, 20 and 33

The rejection of base claims 1, 14 and 27 respectively is incorporated. Boden does not specifically disclose:

receiving a request by one user associated with one node to access the node when no other user is accessing the node;

granting the user requesting access to the node access to the node to perform the action associated with the node;

locking the node to prevent other users associated with the node from accessing the node; and

releasing the lock on the node when the user granted access to the node completes the action associated with the node, wherein other users can access the node after the lock is released.

However, this feature is deemed to be inherent to the IBM FlowMark™ product as 4:66 - 5:35 shows that the number of users authorized to start and control a process can be restricted. Without a locking mechanism, this restriction would be inoperative.

Claims 8, 21 and 34

The rejection of base claims 1, 14 and 27 respectively is incorporated. Boden further discloses *wherein if multiple nodes lead to one node in the workflow, then the workflow server when executing one instance of the workflow only proceeds to the node to which multiple nodes connect when the multiple nodes complete processing* (see at least 5:6-35).

Claims 9, 22 and 35

The rejection of base claims 1, 14 and 27 respectively is incorporated. Boden further discloses *wherein the at least one object routed through the nodes for processing comprises at least one electronic document that is modified by users and routed through the nodes of the workflow* (see at least Figure 3 and related discussion in the specification).

Claims 10, 23 and 36

The rejection of base claims 1, 14 and 27 respectively is incorporated. Boden further discloses *wherein the object processed at the nodes is included in a work packet, wherein the work packet is capable of including multiple objects, further comprising:*

receiving modifications to at least one object in the work packet by one user performing actions associated with at least one node, wherein multiple users perform actions at different nodes to process objects in the work packet routed through the nodes (see at least Figures 2, 3 and related discussion in the specification).

Claims 11, 24 and 37

The rejection of base claims 1, 14 and 27 respectively and intervening claims 10, 23 and 36 respectively is incorporated. Boden further discloses *receiving at least one additional object to add to the work packet from at least one user performing actions from at least one node, wherein the work packet, including any added objects, is routed through the nodes of the workflow* (see at least Figure 2 and related discussion in the specification).

Claims 12, 25 and 38

The rejection of base claims 1, 14 and 27 respectively and intervening claims 10, 23 and 36 respectively is incorporated. Boden further discloses *wherein the objects in the work packet are capable of comprising documents, images, sound files, video files, and application data* (see at least 2:6-57).

Claims 13, 26 and 39

The rejection of base claims 1, 14 and 27 respectively and intervening claims 10, 23 and 36 respectively is incorporated. Boden further discloses *wherein multiple users at different nodes may concurrently process objects in the work packet* (see at least 4:57 – 5:3).

Conclusion

11. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang-Vu “Antony” Nguyen-Ba whose telephone number is (571) 272-3701. The Examiner can normally be reached on Tuesday-Friday, 7:15 to 17:15.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner’s supervisor, Tuan Dam can be reached at (571) 272-3695. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**ANTONY NGUYEN-BA
PRIMARY EXAMINER**

Art Unit 2192

May 10, 2005